

Exhibit 13

Declaration of Christopher Brancart in Support of
Plaintiffs' Motion for Partial Summary Judgment or in
the Alternative Summary Adjudication of Issues

Fair Housing v. Roommate.com
Case No. 03-CV-09386 PA (RZx)

DECLARATION OF SANDRA COUCH

I, Sandra Couch, declare as follows:

1. I am employed as a litigation coordinator at the Fair Housing Council of San Fernando Valley and was in that position on March 16, 2005 as well.
2. On March 16, 2005, I conducted a test of the roommates.com website to determine whether roommates.com steers homeseekers on the basis of protected status through its My Matches service.
3. Posing as a homeseeker, I created a member profile on roommates.com as a homeseeker. On the About Me form, I indicated that I was Age 24, Male, Straight, Without Children. I will refer to this homeseeker as Homeseeker 1.
4. Attached hereto as **Exhibit 1** (Bates No. P001118) is a true and correct copy of the disclosures I made for Homeseeker 1 on the About Me form.
5. Posing as a homeseeker, I created a second member profile on roommates.com as a homeseeker. On the About Me form, I indicated I was Age 24, Male, Gay/Lesbian, Without Children. I will refer to this homeseeker as Homeseeker 2.
6. Attached hereto as **Exhibit 2** (Bates No. P001120) is a true and correct copy of the disclosures I made for Homeseeker 2 on the About Me form.
7. The member profiles I created for Homeseeker 1 and Homeseeker 2 were identical in every respect, except that, in response to the Sexual Orientation question on the About Me form, I indicated that Homeseeker 1 was Straight and that Homeseeker 2 was Gay/Lesbian.
8. After I created Homeseeker 1's member profile, I clicked on the Matches tab on the roommates.com website and reviewed the list of matching housing providers

that roommates.com generated for me. The Match list included 58 housing opportunities.

9. Attached hereto as **Exhibit 3** (Bates No. P001130) is a true and correct copy of the first page of the Match list of 58 housing opportunities that I received as Homeseeker 1.

10. After I created Homeseeker 2's member profile, I clicked on the Matches tab on the roommates.com website and reviewed the list of matching housing providers that roommates.com generated for me. The Match list included 32 housing opportunities.

11. Attached hereto as **Exhibit 4** (Bates Nos. P001123-P001129) is the Match list of 32 housing opportunities that I received posing as Homeseeker 2.

12. Because, with the exception of my responses to the Sexual Orientation question on the About Me form, I entered precisely the same information in creating a profile for Homeseeker 1 and Homeseeker 2, I observed that Homeseeker 2's Match list contained fewer housing opportunities (32 versus 58) because of Homeseeker 2's disclosed sexual orientation.

13. I examined the member profiles of the 32 housing providers on Homeseeker 2's Match list. I observed that the homeseeker preferences expressed in the "Preferences" section of each of these housing providers' member profiles were consistent with the age, sex, sexual orientation, and familial status that I had disclosed for Homeseeker 2 on the About Me form.

14. In particular, I observed that none of the 32 housing providers included on Homeseeker 2's Match list indicated a dispreference for male homeseekers, gay homeseekers, or homeseekers age 24. Homeseeker 2 received information about only those housing providers for whom Homeseeker 2's age, sex, sexual orientation, and familial status were preferred.

I declare under penalty of perjury that the foregoing is true and correct.
Executed within the United States on September 12, 2008.



Sandra Couch

Roommates.com - Edit Profile

Page 1 of 2

Roommates.com


[My Matches](#) | [Power Search](#) | [Mail Center](#) | [Resources](#) | [Support](#) | [Dating](#) | [Scam Alert](#) | [Logout](#)
Account Settings

whatsthis: Looking for a room

Choice Member: Thru 03-17-05 10:58 PM MST

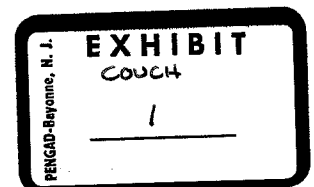
- ▶ [Edit profile](#)
- ▶ [Edit email address](#)
- ▶ [Edit nickname](#)
- ▶ [Edit password](#)
- ▶ [MatchPlus](#)
- ▶ [Email notification](#)
- ▶ [Deactivate](#)

About Me

Select details regarding yourself / your lifestyle.

Age: Gender: Sexual Orientation: Occupation: Smoking: Cleanliness: Pets: ☐ Dog(s) ☐ Cat(s) ☐ Caged Pet(s)Children: **View Profile**

Enter nickname:


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P001118

Roommates.com - Edit Profile

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Account Settings

whatsthis: Looking for a room

Choice Member: Thru 03-17-05 10:58 PM MST

- ▶ [Edit profile](#)
- ▶ [Edit email address](#)
- ▶ [Edit nickname](#)
- ▶ [Edit password](#)
- ▶ [MatchPlus](#)
- ▶ [Email notification](#)
- ▶ [Deactivate](#)

View Profile

Enter nickname:

Go

About Me

Select details regarding yourself / your lifestyle.

Age: 24

Gender: Male

Sexual Orientation: Gay/Lesbian

Occupation: Professional

Smoking: I don't smoke

Cleanliness: I'm clean

Pets: ☐ Dog(s) ☐ Cat(s) ☐ Caged Pet(s)

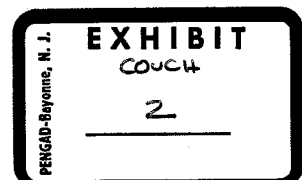
Children: Children will not be present

back

next

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P001120

Roommates.com


[My Matches](#) | [Power Search](#) | [Mail Center](#) | [Resources](#) | [Support](#) | [Dating](#) | [Scam Alert](#) | [Logout](#)
Account Settings

whatsthis: Looking for a room

Choice Member: Thru 03-17-05 10:58 PM MST

- ▶ [Edit profile](#)
- ▶ [Edit email address](#)
- ▶ [Edit nickname](#)
- ▶ [Edit password](#)
- ▶ [MatchPlus](#)
- ▶ [Email notification](#)
- ▶ [Deactivate](#)

View Profile

Enter nickname:

Go

Members with rooms available

Members looking for rooms

Matching roommates:

1 - 5 of 58 | Order by: Last online

Page: 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | >>

darkstar1979

Last activity: Online now!



About us: Coed, 21-25, Non-smokers
 Monthly rent: \$600
 Residence: House in (North) Chatsworth, CA: [Map](#)
 Available date: 03/18/05 (2 days)

[More info](#)**bsting63**

Last activity: Online now!



About me: Male, 20, Outside smoker
 Monthly rent: \$700 + deposit
 Residence: Townhouse/Condo in (NE) Burbank, CA: [Map](#)
 Available date: Available Now!

[More info](#)**Scubadvr**

Last activity: Within 45 minutes.



About us: Male, 19-20, Non-smokers
 Monthly rent: \$600 + deposit
 Residence: House in (East) Northridge, CA: [Map](#)
 Available date: Available Now!

[More info](#)**tonywang**

Last activity: Within 1 hour. Updated!



About me: Male, 32, Outside smoker
 Monthly rent: \$600 + deposit
 Residence: Apartment in (Central) Canoga Park, CA: [Map](#)
 Available date: Available Now!

[More info](#)**TheUltopian**

Last activity: Within 1 hour.



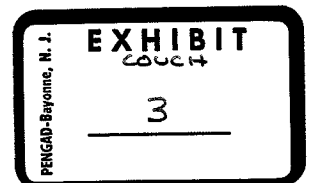
About me: Male, 32, Non-smoker
 Monthly rent: \$1000 + deposit
 Residence: Townhouse/Condo in (East) Burbank, CA: [Map](#)
 Available date: 04/01/05 (16 days)

[More info](#)

Page: 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | >>

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P001152**-000436-**

2/16/2005

Roommates.com

[My Matches](#) | [Power Search](#) | [Mail Center](#) | [Resources](#) | [Support](#) | [Dating](#) | [Scam Alert](#) | [Logout](#)
Account Settings

whatsthis: Looking for a room

Choice Member: Thru 03-17-05 10:58 PM MST

- ▶ [Edit profile](#)
- ▶ [Edit email address](#)
- ▶ [Edit nickname](#)
- ▶ [Edit password](#)
- ▶ [MatchPlus](#)
- ▶ [Email notification](#)
- ▶ [Deactivate](#)

View Profile

Enter nickname:

Go

Members with rooms available

Members looking for rooms

Matching roommates:

1 - 5 of 32 | Order by: Last online

Page: [1](#) | [2](#) | [3](#) | [4](#) | [5](#) | [6](#) | [7](#) | [>>](#)**darkstar1979**Last activity: **Online now!**

About us: Coed, 21-25, Non-smokers
 Monthly rent: \$600
 Residence: House in (North) Chatsworth, CA: [Map](#)
 Available date: 03/18/05 (2 days)

[More info](#)**SynthHero**Last activity: **Online now! New!**

About me: Male, 26, Non-smoker
 Monthly rent: \$480 + deposit
 Residence: Apartment in (East) Simi Valley, CA: [Map](#)
 Available date: 04/03/05 (18 days)

[More info](#)**Tiff2005**

Last activity: Within 1 hour.



About me: Female, 29, Outside smoker
 Monthly rent: \$775 + deposit
 Residence: Townhouse/Condo in (North) Santa Clarita, CA: [Map](#)
 Available date: Available Now!

[More info](#)**TheUtopian**

Last activity: Within 2 hours.



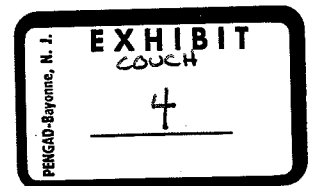
About me: Male, 32, Non-smoker
 Monthly rent: \$1000 + deposit
 Residence: Townhouse/Condo in (East) Burbank, CA: [Map](#)
 Available date: 04/01/05 (16 days)

[More info](#)**mcwade**Last activity: Within a few hours. **Updated!**

About us: Male, 40-59, Non-smokers
 Monthly rent: \$670 + deposit
 Residence: House in (SW) Simi Valley, CA: [Map](#)
 Available date: Available Now!

[More info](#)Page: [1](#) | [2](#) | [3](#) | [4](#) | [5](#) | [6](#) | [7](#) | [>>](#)[Terms of Service](#) | [Privacy Statement](#) | [Contact Us](#)

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Account Settings

whatsthis: Looking for a room

Choice Member: Thru 03-17-05 10:58 PM MST

- ▶ [Edit profile](#)
- ▶ [Edit email address](#)
- ▶ [Edit nickname](#)
- ▶ [Edit password](#)
- ▶ [MatchPlus](#)
- ▶ [Email notification](#)
- ▶ [Deactivate](#)

View Profile

Enter nickname:

Go

Members with rooms available

Members looking for rooms

Matching roommates:

6 - 10 of 32 | Order by: Last online

Page: 1 | **2** | 3 | 4 | 5 | 6 | 7 | >>**rooboy**

Last activity: Within a few hours.



About me: Male, 30, Non-smoker. [More info](#)

Monthly rent: \$673 + deposit

Residence: Townhouse/Condo in (North) Burbank, CA: [Map](#)

Available date: 04/01/05 (16 days)

ponch83

Last activity: Within a few hours.



About us: Male, 18-22, Non-smokers [More info](#)

Monthly rent: \$625 + deposit

Residence: House in (East) Simi Valley, CA: [Map](#)

Available date: 03/25/05 (9 days)

KSKLast activity: Within a few hours. **Updated!**

About us: Female, 43-46, Outside smokers [More info](#)

Monthly rent: \$575 + deposit

Residence: Townhouse/Condo in (West) Northridge, CA: [Map](#)

Available date: 04/01/05 (16 days)

ROrr34

Last activity: Within 1 day.



About me: Male, 33, Outside smoker [More info](#)

Monthly rent: \$650 + deposit

Residence: House in (West) Encino, CA: [Map](#)

Available date: Available Now!

UCSBERika

Last activity: Within 1 day.



About us: Female, 23-35, Non-smokers [More info](#)

Monthly rent: \$750 + deposit

Residence: Townhouse/Condo in (East) Simi Valley, CA: [Map](#)

Available date: Available Now!

Page: 1 | **2** | 3 | 4 | 5 | 6 | 7 | >>
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Account Settings

- ▶ [Edit profile](#)
- ▶ [Edit email address](#)
- ▶ [Edit nickname](#)
- ▶ [Edit password](#)
- ▶ [MatchPlus](#)
- ▶ [Email notification](#)
- ▶ [Deactivate](#)

View Profile

Enter nickname:

whatsthis: Looking for a room

Choice Member: Thru 03-17-05 10:58 PM MST

Members with rooms available

Members looking for rooms

Matching roommates:

11 - 15 of 32 | Order by: Last online

Page: [1](#) | [2](#) | [3](#) | [4](#) | [5](#) | [6](#) | [7](#) | [>>](#)

marty180

Last activity: Within 1 day.



About me: Female, 24, Non-smoker
Monthly rent: \$575 + deposit
Residence: Townhouse/Condo in (North) Canoga Park, CA: [Map](#)
Available date: 05/01/05 (46 days)

[More info](#)

therlmy

Last activity: Within 1 day.



About me: Female, 30, Non-smoker
Monthly rent: \$1000
Residence: Townhouse/Condo in (North) Burbank, CA: [Map](#)
Available date: Available Now!

[More info](#)

SillyKern

Last activity: Within 1 day.



About me: Female, 29, Non-smoker
Monthly rent: \$800 + deposit
Residence: Townhouse/Condo in (Central) Granada Hills, CA: [Map](#)
Available date: Available Now!

[More info](#)

Ducati998s

Last activity: Within 1 day. **Updated!**



About us: Coed, 18-26, Non-smokers
Monthly rent: \$600
Residence: House in (North) Chatsworth, CA: [Map](#)
Available date: 04/01/05 (16 days)

[More info](#)

carpesdiem

Last activity: Within 1 day.



About us: Coed, 27-29, Non-smokers
Monthly rent: \$650 + deposit
Residence: House in (North) Granada Hills, CA: [Map](#)
Available date: 04/01/05 (16 days)

[More info](#)

Page: [1](#) | [2](#) | [3](#) | [4](#) | [5](#) | [6](#) | [7](#) | [>>](#)

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Account Settings

- [Edit profile](#)
- [Edit email address](#)
- [Edit nickname](#)
- [Edit password](#)
- [MatchPlus](#)
- [Email notification](#)
- [Deactivate](#)

View Profile

Enter nickname:

whatsthis: Looking for a room

Choice Member: Thru 03-17-05 10:58 PM MST

Members with rooms available

Members looking for rooms

Matching roommates:

16 - 20 of 32 | Order by: Last online

Page: [1](#) | [2](#) | [3](#) | [4](#) | [5](#) | [6](#) | [Z](#) | [>>](#)

TheRoom4u

Last activity: Within 2 days. **Updated!**



About me: Male, 30, Non-smoker
Monthly rent: \$575 + deposit
Residence: Townhouse/Condo in (West) Van Nuys, CA: [Map](#)
Available date: 04/01/05 (16 days)

[More info](#)

SimiHome

Last activity: Within 2 days.



About us: Male, 25-32, Non-smokers
Monthly rent: \$700 + deposit
Residence: House in (North) Simi Valley, CA: [Map](#)
Available date: Available Now!

[More info](#)

hmmcarlos

Last activity: Within a few days. **New!**



About me: Male, 33, Non-smoker
Monthly rent: \$750 + deposit
Residence: Townhouse/Condo in (SW) Santa Clarita, CA: [Map](#)
Available date: Available Now!

[More info](#)

siomo88

Last activity: Within 1 week.



About me: Male, 28, Non-smoker
Monthly rent: \$0 + deposit
Residence: House in (North) Simi Valley, CA: [Map](#)
Available date: Available Now!

[More info](#)

edelster123

Last activity: Within 1 week.



About me: Female, 33, Outside smoker
Monthly rent: \$600
Residence: Townhouse/Condo in (Central) Simi Valley, CA: [Map](#)
Available date: 04/02/05 (17 days)

[More info](#)

Page: [1](#) | [2](#) | [3](#) | [4](#) | [5](#) | [6](#) | [Z](#) | [>>](#)

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[My Matches](#) | [Power Search](#) | [Mail Center](#) | [Resources](#) | [Support](#) | [Dating](#) | [Scam Alert](#) | [Logout](#)

Account Settings

whatsthis: Looking for a room

Choice Member: Thru 03-17-05 10:58 PM MST

- ▶ [Edit profile](#)
- ▶ [Edit email address](#)
- ▶ [Edit nickname](#)
- ▶ [Edit password](#)
- ▶ [MatchPlus](#)
- ▶ [Email notification](#)
- ▶ [Deactivate](#)

View Profile

Enter nickname:

Members with rooms available

Members looking for rooms

Matching roommates:

21 - 25 of 32 | Order by: Last online

Page: [1](#) | [2](#) | [3](#) | [4](#) | **[5](#)** | [6](#) | [Z](#) | [>>](#)

lobito

Last activity: Within 1 week.



About us: Female, 20-40, Non-smokers
Monthly rent: \$450
Residence: Apartment in (North) Van Nuys, CA: [Map](#)
Available date: Available Now!

[More info](#)

BDarnell

Last activity: Within 1 week.



About me: Male, 26, Outside smoker
Monthly rent: \$650 + deposit
Residence: Townhouse/Condo in (North) Winnetka, CA: [Map](#)
Available date: 05/01/05 (46 days)

[More info](#)

beemovie

Last activity: Within 1 week.



About me: Male, 38, Outside smoker
Monthly rent: \$850 + deposit
Residence: Townhouse/Condo in (SW) Burbank, CA: [Map](#)
Available date: Available Now!

[More info](#)

Violetta

Last activity: Within 1 week.



About me: Male, 25, Non-smoker
Monthly rent: \$655 + deposit
Residence: Apartment in (NE) Chatsworth, CA: [Map](#)
Available date: Available Now!

[More info](#)

minikiss

Last activity: Within 1 week.



About us: Female, 27-32, Outside smokers
Monthly rent: \$660 + deposit
Residence: Apartment in (East) Santa Clarita, CA: [Map](#)
Available date: Available Now!

[More info](#)

Page: [1](#) | [2](#) | [3](#) | [4](#) | **[5](#)** | [6](#) | [Z](#) | [>>](#)

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P001127

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[My Matches](#) | [Power Search](#) | [Mail Center](#) | [Resources](#) | [Support](#) | [Dating](#) | [Scam Alert](#) | [Logout](#)

[Account Settings](#)

whatsthis: Looking for a room

Choice Member: Thru 03-17-05 10:58 PM MST

- ▶ [Edit profile](#)
- ▶ [Edit email address](#)
- ▶ [Edit nickname](#)
- ▶ [Edit password](#)
- ▶ [MatchPlus](#)
- ▶ [Email notification](#)
- ▶ [Deactivate](#)

[View Profile](#)

Enter nickname:

Members with rooms available

Members looking for rooms

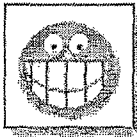
▶ Matching roommates:

26 - 30 of 32 | Order by: [Last online](#)

Page: [1](#) | [2](#) | [3](#) | [4](#) | [5](#) | [6](#) | [7](#) | [>>](#)

EdwinA

Last activity: Within 1 week.



About me: Male, 27, Outside smoker
Monthly rent: \$850 + deposit
Residence: House in (South) Woodland Hills, CA: [Map](#)
Available date: Available Now!

[More info](#)

cheshrcat

Last activity: Within 1 week.



About me: Female, 26, Outside smoker
Monthly rent: \$600
Residence: Apartment in (Central) Northridge, CA: [Map](#)
Available date: Available Now!

[More info](#)

Sherriann

Last activity: Within 2 weeks.



About me: Female, 40, Non-smoker
Monthly rent: \$625 + deposit
Residence: Apartment in (NE) Santa Clarita, CA: [Map](#)
Available date: Available Now!

[More info](#)

MissM26

Last activity: Within 27 days.



About me: Female, 26, Outside smoker
Monthly rent: \$650 + deposit
Residence: House in (South) Simi Valley, CA: [Map](#)
Available date: Available Now!

[More info](#)

Earthwoman

Last activity: Within 29 days.



About me: Female, 31, Non-smoker
Monthly rent: \$750 + deposit
Residence: Townhouse/Condo in (Central) Winnetka, CA: [Map](#)
Available date: Available Now!

[More info](#)

Page: [1](#) | [2](#) | [3](#) | [4](#) | [5](#) | [6](#) | [7](#) | [>>](#)

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-000442-

roommates.com/members/match...&page=6 3/16/2005

Roommates.com - My Matches

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Roommates.com



[My Matches](#) | [Power Search](#) | [Mail Center](#) | [Resources](#) | [Support](#) | [Dating](#) | [Scam Alert](#) | [Logout](#)

Account Settings

whatsthiz: Looking for a room

Choice Member: Thru 03-17-05 10:58 PM MST

- ▶ [Edit profile](#)
- ▶ [Edit email address](#)
- ▶ [Edit nickname](#)
- ▶ [Edit password](#)
- ▶ [MatchPlus](#)
- ▶ [Email notification](#)
- ▶ [Deactivate](#)

View Profile

Enter nickname:

Members with rooms and home

Members looking for rooms

Matching roommates:

31 - 32 of 32 | Order by: Last online

Page: [1](#) | [2](#) | [3](#) | [4](#) | [5](#) | [6](#) | [7](#)

dreamy

Last activity: Within 36 days.



About me: Female, 20, Non-smoker
Monthly rent: \$500 + deposit
Residence: Apartment in (Central) Encino, CA: [Map](#)
Available date: Available Now!

[More info](#)

smorrissey78

Last activity: Within 37 days.



About us: Coed, 25-26, Non-smokers
Monthly rent: \$500
Residence: Townhouse/Condo in (South) Santa Clarita, CA: [Map](#)
Available date: Available Now!

[More info](#)

Page: [1](#) | [2](#) | [3](#) | [4](#) | [5](#) | [6](#) | [7](#)

[View basic search results >>](#)

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P001129

-000443-

CERTIFICATE OF SERVICE

On September 15, 2008 I served a true and correct copy of the following documents entitled:

(1) Plaintiffs' Notice of Motion and Motion for Partial Summary Judgment, or in the Alternative for Summary Adjudication of Issues;

(2) Memorandum of Points and Authorities in Support of Plaintiffs' Motion for Partial Summary Judgment, or in the Alternative Summary Adjudication of Issues;

(3) Plaintiffs' Separate Statement of Uncontroverted Facts and Conclusions of Law;

(4) Declaration of Christopher Brancart in Support of Plaintiffs' Motion for Partial Summary Judgment or in the Alternative Summary Adjudication of Issues; Exhibits 1 Through 13;

(5) [Proposed] Order Granting Plaintiffs' Motion for Partial Summary Judgment

upon the following person(s):

Mr. Timothy L. Alger
Quinn, Emanuel, Urquhart, Oliver &
Hedges
865 South Figueroa Street, 10th Floor
Los Angeles, CA 90017

X	BY ELECTRONIC MAIL: By transmitting the above document(s) to the email address of the person designated above, or by electronically filing the documents on the Court's ECF system.
	BY MAIL: By placing a copy thereof enclosed in a sealed envelope, with postage thereon fully prepaid, in the United States mail at Loma Mar, California, addressed as set forth above.
	BY HAND DELIVERY: By causing such document(s) to be delivered by hand to the above person(s) at the address(es) set forth above.
	BY THIRD-PARTY COMMERCIAL CARRIER (OVERNIGHT DELIVERY): By delivering a copy thereof to a third-party commercial carrier, addressed as set forth above, for delivery on the next business day.
	BY FACSIMILE: By transmitting the above document(s) to the facsimile number(s) of the addressee(s) designated above.

I certify that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on September 15, 2008, Loma Mar, California.

/s/ Christopher Brancart
Christopher Brancart